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OFFICE OF PETITIONS

PATENT  
10191/2128



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Re Application of : Hammell et al.  
Serial No. : 10/074,182  
Filing Date : February 12, 2002  
For : METHOD AND DEVICE FOR DETECTING A SIGNAL  
Examiner : To Be Assigned  
Art Unit : Not Yet Known  
Confirmation No. : 5002

Mail Stop Petitions  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA. 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on:

Date:

*January 14, 2004*

Reg. No.  
22,490

Signature:

*R. L. Mayer*

Richard L. Mayer

*15,110*  
*42,194*

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT  
DUE TO PATENT OFFICE ERROR UNDER 37 C.F.R. 1.181(a)**

SIR:

Applicants hereby petition to have the Notice of Abandonment, dated January 8, 2004, received in the above-identified patent application withdrawn due to an error on the part of the Patent Office. The Notice of Abandonment indicates that Applicants failed to timely file a Response to the Notice To File Missing Parts mailed March 12, 2002.

In response to the Notice To File Missing Parts mailed March 12, 2002, applicants timely mailed a Response with the signed Declaration and Power of Attorney on May 13, 2002 (May 12, 2002 was a Sunday). Enclosed herewith are copies of the Response which has affixed thereto a signed Certificate of Mailing dated May 13, 2002<sup>a</sup> and the Declaration and Power of Attorney.

As this petition was necessitated by Patent Office error, no fee is believed to be required. However, if any fee is required, the Commissioner is authorized to charge Deposit Account No. 11-0600. A copy of this petition is enclosed for that purpose.

Respectfully submitted,

Dated:

January 14, 2004 By:

*Richard L. Mayer*  
Richard L. Mayer, Reg. No. 22,490

*Ch. No.*

*42,194*

KENYON & KENYON  
One Broadway  
New York, New York 10004  
Telephone: (212) 425-7200  
Facsimile: (212) 425-5288  
Customer No. 26646

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OFFICE OF PETITIONS

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICEDate 5/13/02  
1051-130**RESPONSE TO NOTICE TO FILE  
MISSING PARTS OF APPLICATION --  
FILING DATE GRANTED**Docket Number:  
10191/2128Application Number  
10/074,182Filing Date  
February 12, 2002Examiner  
Not Yet AssignedArt Unit  
1745Invention Title  
**METHOD AND DEVICE FOR DETECTING A  
SIGNAL**Inventor(s)  
**HAMMEL et al.**Address to:  
Assistant Commissioner for Patents  
Washington D.C. 20231  
Box Missing Parts

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box Missing Parts, Washington, D.C. 20231 on

Date: 5/13/02

Signature: *Lo. Mayer*

To complete the filing requirements for the above-referenced application under 37 C.F.R. § 1.51, enclosed please find a signed Declaration and Power of Attorney. A copy of the Notice to File Missing Parts of Application mailed March 12, 2002 is also enclosed.

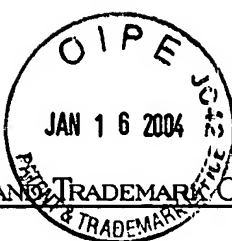
1. The Commissioner is hereby authorized to charge payment of the 37 C.F.R. § 1.16(e) surcharge fee of \$130.00 and any additional fees to the deposit account of **Kenyon & Kenyon**, deposit account number 11-0600.
2. A duplicate of this sheet is enclosed.

Dated: 5/13/02

By: *Lo. Mayer* (Reg. No. 41,172)*Richard L. Mayer*Richard L. Mayer, Reg. No. 22,490  
KENYON & KENYON  
One Broadway  
New York, N.Y. 10004  
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UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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 Alexandria, Virginia 22313-1450  
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DAE

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/074,182	02/12/2002 <b>RECEIVED</b>	Christof Hammel	10191/2128

JAN 20 2004

26646  
 KENYON & KENYON  
 ONE BROADWAY  
 NEW YORK, NY 10004

OFFICE OF PETITIONS

CONFIRMATION NO. 5002

ABANDONMENT/TERMINATION  
LETTER

\*OC000000011650816\*

Date Mailed: 01/08/2004

## NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 03/12/2002.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

*A copy of this notice MUST be returned with the reply.*

K-Lee

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE